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Attorneys for Plaintiff,
RICK ABELSON

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RICK ABELSON, an individual,

Plaintiff,

v.

CLP DCP, LLC, also known as
DA CAPO PRESS, L.L.C., a
New York Limited Liability
Company; HACHETTE BOOK
GROUP, INC., a Delaware
Corporation; Joel Selvin, an
individual; and Pamela Turley,
an individual,

Defendants.

Civil Case No. 2:19-cv-1097

**COMPLAINT FOR COPYRIGHT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

Plaintiff RICK ABELSON, by and through his counsel, alleges for his
complaint against defendants CLP DCP, LLC aka DA CAPO PRESS, L.L.C.,
HACHETTE BOOK GROUP, INC., Joel Selvin, and Pamela Turley as follows:

Civil Case No. 2:19-cv-1097
COMPLAINT FOR COPYRIGHT INFRINGEMENT;
DEMAND FOR JURY TRIAL

1 **NATURE OF THE ACTION**

2 1. This Court has subject matter jurisdiction pursuant to 17 U.S.C. §
3 501, *et seq.* (copyright infringement) and 28 U.S.C. §§ 1331 (federal question
4 jurisdiction), 1338(a) and 1338(b).

5
6 **THE PARTIES**

7 2. Plaintiff Rick Abelson is an individual residing in Redondo Beach,
8 California.

9 3. On information and belief, defendant CLP DCP, LLC also or
10 formerly known as Da Capo Press, L.L.C. is a limited liability company organized
11 under the laws of the State of New York.

12 4. On information and belief, defendant Hachette Book Group, Inc. is a
13 corporation organized under the laws of the State of Delaware.

14 5. On information and belief, defendant Pamela Turley is an individual
15 residing in Atlanta, Georgia.

16 6. On information and belief, defendant Joel Selvin is an individual
17 residing in San Francisco, California.

18 7. On information and belief, at least one of the defendants exercised
19 agency and/or control over the activities of the one or more of the other
20 defendants, including the infringement of plaintiff's copyrights, such that each
21 defendant is liable to plaintiff.

22
23 **JURISDICTION AND VENUE**

24 8. This Court has subject matter jurisdiction over this lawsuit under 28
25 U.S.C. § 1338, because, *inter alia*, the action arises under the copyright laws of
26 the United States.

27 9. This Court has personal jurisdiction over defendant Joel Selvin
28 because he resides in California. Also, on information and belief, all defendants

1 have transacted business in the Central District of California. Further, on
2 information and belief, the defendants systematically and continuously direct
3 business activities toward and into the Central District of California, including
4 selling the infringing book in the district.

5 10. Venue is proper and reasonable in this district under 28 U.S.C. §
6 1391(b)(2) because a substantial part of the events or omissions giving rise to
7 these claims for copyright infringement occurred in this district and defendants
8 have significant contacts with the district.

9
10 **FACTS**

11 11. Plaintiff Rick Abelson is an urban planner with over 30 years of
12 professional experience in the private sector designing significant cultural
13 attractions throughout the world and the author of at least four copyrighted works
14 relating to the famous band named The Grateful Dead. The works comprise,
15 among other things, two images and one body of text. A true and correct copy of
16 excerpts from Mr. Abelson's copyrighted works are attached hereto as Exhibit A.

17 12. Mr. Abelson's works are the subject of U.S. Copyright Registration
18 Nos. VAu 000373848, VAu 000435156, VA 000807684 and VAu 000431021.
19 True and correct copies of Mr. Abelson's copyright registrations are attached
20 hereto as Exhibit B.

21 13. Mr. Abelson uses the copyright symbol, ©, on his copyrighted works.

22 14. Joel Selvin and Pamela Turley are the authors of a book entitled:
23 *Fare Thee Well: The Final Chapter of the Grateful Dead's Long, Strange Trip*,
24 ISBN-13: 978-0306903052. (the "Infringing Book"). The Infringing Book has a
25 retail price of approximately \$29.95.

26 15. The Infringing Book is a biography about The Grateful Dead and the
27 years following the death of their lead member, Jerry Garcia, in 1995. True and
28 correct copies of excerpts from the Infringing Book are attached hereto as Exhibit

1 C. The excerpts in Exhibit C are unauthorized and infringing copies of Mr.
2 Abelson's copyrighted works.

3 16. On October 9, 2017, defendant Joel Selvin emailed Mr. Abelson
4 seeking permission to use Mr. Abelson's works in his book. A true and correct
5 copy of his email to Mr. Abelson is attached hereto as Exhibit D. Selvin
6 requested permission from Mr. Abelson to use Mr. Abelson's copyrighted works.
7 Selvin was aware that he did not have copyright rights or authorization to use Mr.
8 Abelson's works.

9 17. Mr. Abelson did not authorize Selvin or any of the defendants to use
10 his copyrighted works.

11 18. Given the nature and quality of Mr. Abelson's work, he is very
12 selective regarding the use of his works, and thus, to date, has not licensed any of
13 his copyrighted works.

14 19. Mr. Abelson had no intention of granting a license of any kind to
15 any of the works to any of the defendants.

16 20. The Infringing Book contains content that is objectionable to the fans
17 of the Grateful Dead as well as several long-time photographers and journalists
18 associated with the Grateful Dead. Due to the objectionable content, Mr.
19 Abelson's reputation is harmed by the unauthorized use of Mr. Abelson's works
20 in the Infringing Books and by creating a false association with the Infringing
21 Book. Moreover, negative reviews and opinions of the book from the public,
22 before and after mass publication, have erroneously and wrongfully been
23 associated with Mr. Abelson.

24 21. Despite knowing they did not have Mr. Abelson's authorization,
25 Selvin and Turley completed the Infringing Book, which copied and republished
26 Mr. Abelson's copyrighted works on or about June 19, 2018.

27 22. Additionally, defendants intentionally made a false attribution of the
28 works in the Infringing Book to the University of California, Berkeley.

1 23. The book was published by defendant CLP DCP, LLC also or
2 formerly known as DA CAPO PRESS, L.L.C., which directed and profited from
3 the unauthorized copying and infringement of Mr. Abelson's copyrighted works.

4 24. On information and belief, DA CAPO PRESS, LLC paid Selvin a
5 \$30,000 advance for the Infringing Book.

6 25. On information and belief, Selvin paid other photographers and
7 journalists, such as Susana Millman, for the right to use other copyrighted works
8 and provided proper attribution for such authors.

9 26. On information and belief, HACHETTE BOOK GROUP, INC. is the
10 parent corporation of CLP DCP, LLC aka or fka DA CAPO PRESS, L.L.C., and
11 also directed and profited from the unauthorized copying and infringement of Mr.
12 Abelson's copyrighted works.

13 27. Defendants' copying, republication and exploitation of Mr.
14 Abelson's copyrighted works was without authorization from Mr. Abelson.
15 Defendants' copying was willful, oppressive, malicious and with wrongful intent
16 to infringe the rights of Mr. Abelson.

17 18 **CLAIMS OF RELIEF**

19 **FIRST CLAIM OF RELIEF**

20 **(Copyright Infringement – 17 U.S.C. § 501, against all defendants)**

21 28. Plaintiff repeats and incorporates by reference the statements and
22 allegations in paragraphs 1 to 27 of the complaint as though fully set forth herein.

23 29. At all times relevant hereto, plaintiff has been the owner, author
24 and/or assignee of all copyright rights or rights to assert copyright claims for his
25 works and all derivative works.

26 30. Without authorization, defendants used, copied, reproduced, and
27 republished the copyrighted material. Defendants' copying, reproduction, and
28 republication were commercial in character and purpose. Defendants either

1 completely or substantially used plaintiff's copyrighted content. Because the
2 copying was for commercial purposes, it did not constitute fair use under any
3 doctrine of copyright law.

4 31. Plaintiff did not authorize defendants' copying, displaying, or
5 republishing of the works. Defendants infringed the copyrights of plaintiff's
6 creative works by, *inter alia*, reproducing, republishing, publicly displaying, and
7 creating derivatives of the works.

8 32. As a result of defendants' infringement, plaintiff has suffered, and
9 will continue to suffer, substantial losses.

10 33. Defendants knew the infringed works belonged to plaintiff and that
11 they did not have authorization to exploit plaintiff's works. Defendants'
12 infringements were, therefore, willful.

13 34. On information and belief, defendants induced, caused and materially
14 contributed to the infringing acts of others by encouraging, inducing, allowing,
15 and assisting others to reproduce and republish plaintiff's works. Further, on
16 information and belief, defendants had knowledge of the infringing acts of others
17 relating to plaintiff's copyrighted works.

18 35. On information and belief, defendants have the right and ability to
19 control the infringing acts of the individuals and entities that directly infringed
20 plaintiff's works. Further, on information and belief, defendants obtained a direct
21 financial benefit from the infringing activities of the individuals or entities that
22 directly infringed plaintiff's works.

23 36. Defendants' actions, as set forth above, constitute copyright
24 infringement in violation of the Copyright Act, 17 U.S.C. § 501, *et seq.*, all to the
25 damage of plaintiff as previously alleged.

26 37. By reason of the foregoing unlawful acts recited in the above
27 paragraphs, plaintiff has been irreparably harmed and will continue to suffer
28 damage until an appropriate injunction and damages award are imposed by this

1 Court against defendants.

2
3 **PRAYER FOR RELIEF**

4 WHEREFORE, Plaintiff asks that this Court grant judgment against
5 defendants for the following:

6 A. Defendants, their officers, agents, servants, employees, and attorneys,
7 and all persons in active concert or participation with any of them, be
8 permanently enjoined from:

- 9 i. infringing plaintiff's copyrighted works;
10 ii. indirectly, contributorily, or vicariously infringing plaintiff's
11 copyrighted works; and,
12 iii. conspiring, encouraging, inducing, allowing, abetting, or assisting
13 others in performing any of the activities referred to in
14 subparagraphs (i) - (ii) above.

15 B. Defendants shall file with the Court and serve on plaintiff, within 30
16 days after the entry and service on defendants of an injunction, a report in
17 writing and attested to under penalty of perjury setting forth in detail the
18 manner and form in which defendants has complied with the provisions of
19 subparagraph (A) above.

20 C. Plaintiff be awarded statutory damages for prosecuting this action.

21 D. Plaintiff recovers all damages he has sustained as a result of
22 defendants' infringement.

23 E. Plaintiff be awarded enhanced damages due to defendants' willful
24 infringement.

25 F. Plaintiff be awarded his reasonable attorneys' fees for prosecuting
26 this action to the full extent allowable by 17 U.S.C. § 505, or other related
27 statute.

28 G. Plaintiff recovers his costs of this action and pre-judgment and post-

1 judgment interest, to the full extent allowed by law.

2 H. Plaintiff receives all other relief the Court deems appropriate.

3
4 **DEMAND FOR JURY TRIAL**

5 Plaintiff hereby demands a trial by the jury on his claims herein and all
6 issues and claims so triable in this action.

7
8 Respectfully submitted,

9 Date: February 13, 2019

MANDOUR & ASSOCIATES, APC

10
11 /s/ Ben T. Lila

12 Ben T. Lila (SBN 246808)

13 Email: blila@mandourlaw.com

14 Attorneys for plaintiff,

15 RICK ABELSON
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28

EXHIBIT A

EXHIBIT A

TERRAPIN STATION

Building Facade - Arrival / Entry



In keeping with the overall goal for visitors to experience what it is like at a Grateful Dead concert, the building itself will resemble an actual stage set similar to many of the Grateful Dead's outdoor concerts. The famous 1974 Wall of Sound configuration of speakers, monitors, scaffolding and light rigging will function as the point of arrival. A box office set under the round speaker bank will be for advance ticket sales and information. This unusual building will become an exciting way to step into the world of the Grateful Dead.



16

Grateful Dead Mercantile Company

The Grateful Dead Mercantile Company will be the primary retail store within Terrapin Station. Together with the MNS Record Store, the combined floor plans will be very flexible in layout. In their most optimum configuration, the combined stores would wrap around a corner site near the main entrance to Terrapin Station.

This arrangement is very desirable, making it possible to capture sales revenue from those who do not have the time to visit or do not wish to pay admission to enter the Terrapin Station main attraction. Similarly, access from the outside will make it more convenient to operate the stores prior to opening and after closing of the Terrapin Station main venue.

The Grateful Dead Mercantile Company will sell four kinds of retail merchandise:

1. **General Lifestyle**
Grateful Dead branded products.
2. **Limited Editions/Collectibles**
Authentic Grateful Dead memorabilia.
3. **Terrapin Station Exclusives**
New products available only at TS.
4. **Other Related Music Products**
With whom Terrapin Station will have licensing agreements.



19

EXHIBIT A

TERRAPIN STATION

In addition, employment opportunities for staff members of the Grateful Dead, such as docents and paid administrators of the facility will be necessary.

Initial capital costs to design and construct **Terrapin Station** will be accomplished through financial negotiations with selected investors participating with the Grateful Dead. Capital and annual operating expenses will be ameliorated by limited sponsorship and endorsements sanctioned by the Band. Annual operating revenue will also be generated from paid admissions, the Mercantile Store sales of existing catalog items and exhibit momentos offered at the facility through Grateful Dead Merchandising and a specially themed cafe serving light foods and natural juices.

Imagine giving young music fans, as well as long-time Deadheads, the opportunity to "touch the Grateful Dead," to pass through the rich history of the music and its tangents by presenting a fascinating and incisive panorama of the Grateful Dead with the use of authentic memorabilia and state-of-the-art media.

It will be a mystical place to invigorate the senses. Something to capture the tried and true, as well as the curious imagination. **Terrapin Station** will be the most unique educational and spiritual music attraction ever assemble in America.



EXHIBIT B

EXHIBIT B

CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

FORM VA
UNITED STATES COPYRIGHT OFFICE

VA 807-684



EFFECTIVE DATE OF REGISTRATION

August 6 1996
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK

TERRAPIN STATION

PREVIOUS OR ALTERNATIVE TITLES

THE GRATEFUL DEAD EXPERIENCE

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

N/A

If published in a periodical or serial give: Volume

Number

Issue Date

On Pages

NATURE OF THIS WORK See instructions

*Proposal for
museum design

NAME OF AUTHOR

RICK ABELSON, WHOSE PSEUDONYM IS
LET IT SHINE PRODUCTIONS

Was this contribution to the work a "work made for hire"?

☐ Yes

☒ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of

USA

Domiciled in

DATES OF BIRTH AND DEATH

Year Born

Year Died

1960

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous?

☐ Yes ☐ No

Pseudonymous?

☒ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by this author in which copyright is claimed.

TEXT AND AUDIO

NAME OF AUTHOR

N/A

Was this contribution to the work a "work made for hire"?

☐ Yes

☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of

Domiciled in

DATES OF BIRTH AND DEATH

Year Born

Year Died

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous?

☐ Yes ☐ No

Pseudonymous?

☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

N/A

Was this contribution to the work a "work made for hire"?

☐ Yes

☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of

Domiciled in

DATES OF BIRTH AND DEATH

Year Born

Year Died

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous?

☐ Yes ☐ No

Pseudonymous?

☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by this author in which copyright is claimed.

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

1996

This information must be given in all cases.

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if this work has been published.

Month Day Year

JUNE 2 1996

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

RICK ABELSON

106 SOUTH GUADALUPE AVENUE 'B'

REDONDO BEACH, CALIFORNIA 90277

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

APPLICATION RECEIVED

AUG 06 1996

ONE DEPOSIT RECEIVED

AUG 06 1996

TWO DEPOSITS RECEIVED

REMITTANCE NUMBER AND DATE

MORE ON BACK Complete all applicable spaces (numbers 5-9) on the reverse side of this page. See detailed instructions. Sign the form at line 8.

DO NOT WRITE HERE
Page 1 of 2 pages

EXHIBIT B

*Added by C.O. Authority phone conversation with Rick Abelson, 12/31/96.

| | |
|---|-------------------------------|
| EXAMINED BY <i>GRH</i> | FORM VA |
| CHECKED BY | |
| <input type="checkbox"/> CORRESPONDENCE Yes | FOR COPYRIGHT OFFICE USE ONLY |
| <input type="checkbox"/> DEPOSIT ACCOUNT FUNDS USED | |

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☒ Yes ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

☐ This is the first published edition of a work previously registered in unpublished form.

☐ This is the first application submitted by this author as copyright claimant.

☒ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

REGISTRATION IS PENDING (SUBMITTED 7/23/96)

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

*(Some artwork and photos taken from preexisting sources.)

REGISTRATION PENDING FOR THE GRATEFUL DEAD EXPERIENCE (MUSEUM DESIGN, TEXT AND ARTWORK)

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

REVISED AND ADDITIONAL NEW TEXT AND ARTWORK

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account. Name ▼ Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

RICK ABELSON
106 SOUTH GUADALUPE AVENUE 'B'
REDONDO BEACH, CALIFORNIA 90277

Area Code & Telephone Number ▶ 310-379-1894

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

☒ author

☐ other copyright claimant

☐ owner of exclusive right(s)

☐ authorized agent of

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this is a published work, this date must be the same as or later than the date of publication given in space 3.

RICK ABELSON date ▶ 8/1/96

Handwritten signature (X) ▼ *Rick Abelson*

MAIL CERTIFICATE TO

Certificate will be mailed in window envelope

| | |
|----------------------------------|--------------------------------|
| Name ▼ | RICK ABELSON |
| Number/Street/Apartment Number ▼ | 106 South Guadalupe Avenue 'B' |
| City/State/ZIP ▼ | Redondo Beach, CA 90277 |

Have you:
• Completed all necessary spaces?
• Signed your application in space 8?
• Enclosed check or money order for \$30 payable to Register of Copyrights?
• Enclosed your deposit material with the application and fee?
MAIL TO: Register of Copyrights, Library of Congress, Washington, D.C. 20559

* 17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

☆ U.S. GOVERNMENT PRINTING OFFICE: 1987: 181-53140,018

February 1987-100,000

EXHIBIT B

Additional Certificate of Registration of a Claim to Copyright

This is to certify that the statements set forth
in the attached have been made a part of the
records of the Copyright Office with claim
of copyright registered under number

In testimony whereof, the seal of this office
is affixed hereto on



VAu 435-156

October 25, 2018

A handwritten signature in black ink, reading "Kay A. Leahy".

Acting United States Register of Copyrights and Director

C-731 • 04/2018

FORM VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

RI

VAl 435-156

EFFECTIVE DATE OF REGISTRATION

1 12 98
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼ TERRAPIN STATION

NATURE OF THIS WORK ▼ See instructions
BUSINESS PLAN FOR MUSEUM DESIGN.

PREVIOUS OR ALTERNATIVE TITLES ▼
THE GRATEFUL DEAD EXPERIENCE

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼
N/A

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2

NAME OF AUTHOR ▼ RICK ABELSON/ dba* LET IT SHINE PRODUCTIONS

DATES OF BIRTH AND DEATH
Year Born ▼ 1960 Year Died ▼

Was this contribution to the work a "work made for hire"?
☐ Yes ☒ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of ▼ Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing
☒ 2-Dimensional artwork ☐ Photograph ☒ Text
☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work
☐ Design on sheetlike material

AS NOTED IN '66'

NOTE
Under the law, the "author" of

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
☐ Yes ☐ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR { Citizen of ▼ Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☐ No
Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing
☐ 2-Dimensional artwork ☐ Photograph ☐ Text
☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work
☐ Design on sheetlike material

death blank.

3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED 1997 This information must be given in all cases.

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Month ▼ Day ▼ Year ▼ Nation ▼

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
RICK ABELSON
850 AVENUE B
REDONDO BEACH, CA 90277

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED
JAN 12 1998

ONE DEPOSIT RECEIVED
JAN 12 1998

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

See instructions before completing this space.

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ▶

- Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
- See detailed instructions.
- Sign the form at line 8.

DO NOT WRITE HERE
Page 1 of 2 pages

EXHIBIT B

EXAMINED BY WRS FORM VA
CHECKED BY _____
* Added by C.O. on authority of Rick Abelson, ☐ CORRESPONDENCE
by telephone call on 6/10/98. Yes
FOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☒ Yes ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

a. ☐ This is the first published edition of a work previously registered in unpublished form.

b. ☐ This is the first application submitted by this author as copyright claimant.

c. ☒ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

VAU 373-848 (JULY 29, 1996) + VA 807-684 (AUGUST 6, 1996) Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

① THE GRATEFUL DEAD EXPERIENCE

② TERRAPIN STATION - concept development + financial overview

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

REVISED AND ADDITIONAL NEW TEXT AND 2D ARTWORK
PARTICULARLY SKETCHES SHOWN ON PAGES 14, 19, 24 + 28.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

RICK ABELSON
856 AVENUE 'B'
REDONDO BEACH, CALIFORNIA 90277

Area Code and Telephone Number ▶ 310-540-8832

CERTIFICATION* I, the undersigned, hereby certify that I am the check only one ▼

☒ author

☐ other copyright claimant

☐ owner of exclusive right(s)

☐ authorized agent of _____

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

RICK ABELSON

Date ▶ 1/6/98



Handwritten signature (X) ▼

Mail certificate to:

Certificate will be mailed in window envelope

Name ▼

RICK ABELSON

Number/Street/Apt ▼

856 AVENUE B

City/State/ZIP ▼

REDONDO BEACH, CA. 90277

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable \$20 filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO:

Register of Copyrights
Library of Congress
Washington, D.C. 20559-6000

*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

March 1995-300,000

PRINTED ON RECYCLED PAPER

U.S. GOVERNMENT PRINTING OFFICE: 1995-387-237/41

EXHIBIT B

CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters
REGISTER OF COPYRIGHTS
United States of America

FORM VA For a Work of the Visual Arts UNITED STATES COPYRIGHT OFFICE

RE: **VAU 431-021**
EFFECTIVE DATE OF REGISTRATION
1 12 98
Month Day Year

1 TITLE OF THIS WORK ▼ **THE WHEEL THEATRE - TERRAPIN STATION** NATURE OF THIS WORK ▼ See instructions
2D SKETCH OF THEATRE INTERIOR

PREVIOUS OR ALTERNATIVE TITLES ▼
THE GRATEFUL DEAD EXPERIENCE

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 a NAME OF AUTHOR ▼ **RICK ABELSON DBA LAT IT SHINE PRODUCTIONS** DATES OF BIRTH AND DEATH
Year Born ▼ 1960 Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR Citizen of ▼
Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

NOTE
Under the law, the "author" of death blank.

0666980
00666980

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

| | | |
|---|---|---|
| <input type="checkbox"/> 3-Dimensional sculpture | <input type="checkbox"/> Map | <input type="checkbox"/> Technical drawing |
| <input checked="" type="checkbox"/> 2-Dimensional artwork | <input type="checkbox"/> Photograph | <input type="checkbox"/> Text |
| <input type="checkbox"/> Reproduction of work of art | <input type="checkbox"/> Jewelry design | <input type="checkbox"/> Architectural work |
| <input type="checkbox"/> Design on sheetlike material | | |

NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR Citizen of ▼
Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☐ No
Pseudonymous? ☐ Yes ☐ No

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions

| | | |
|---|---|---|
| <input type="checkbox"/> 3-Dimensional sculpture | <input type="checkbox"/> Map | <input type="checkbox"/> Technical drawing |
| <input type="checkbox"/> 2-Dimensional artwork | <input type="checkbox"/> Photograph | <input type="checkbox"/> Text |
| <input type="checkbox"/> Reproduction of work of art | <input type="checkbox"/> Jewelry design | <input type="checkbox"/> Architectural work |
| <input type="checkbox"/> Design on sheetlike material | | |

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **1997** **b** DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Complete this information ONLY if this work has been published. Month Day Year Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. **RICK ABELSON 856 AVENUE B REDONDO BEACH, CA. 90277**

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED JAN 12 1998 JUN. 19. 1998
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED JAN 12 1998
FUNDS RECEIVED

MORE ON BACK ▶ Complete all applicable spaces (numbers 5-8) on the reverse side of this page.

DO NOT WRITE HERE

| | | |
|--|-------------|-------------------------------|
| EXAMINED BY | <i>7/14</i> | FORM VA |
| CHECKED BY | <i>RCH</i> | |
| <input checked="" type="checkbox"/> CORRESPONDENCE | Yes | FOR COPYRIGHT OFFICE USE ONLY |

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☒ Yes ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

a. ☐ This is the first published edition of a work previously registered in unpublished form.

b. ☐ This is the first application submitted by this author as copyright claimant.

c. ☒ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

YAV 373-848 (JULY 29, 1996) + VA 807-684 (AUGUST 6, 1996)

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

① THE GRATEFUL DEAD EXPERIENCE

② TERRAPIN STATION - CONCEPT DEVELOPMENT + FINANCIAL OVERVIEW

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

ADDITIONAL NEW SKETCH THAT SHOWS THE INTERIOR OF THE WHEEL THEATRE I DESIGNED FOR COPYRIGHT VA-807-684

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

*RICK ABELSON
856 AVENUE B
REDONDO BEACH, CA 90277*

Area Code and Telephone Number ▶ *310-540-8832*

CERTIFICATION* I, the undersigned, hereby certify that I am the check only one ▼

☐ author

☐ other copyright claimant

☐ owner of exclusive right(s)

☐ authorized agent of

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

RICK ABELSON

Date ▶ *1.6.98*

Handwritten signature (X) ▼

R. Abelson

Mail certificate to:

Certificate will be mailed in window envelope

Name ▼

RICK ABELSON

Number/Street/Apt ▼

856 AVENUE B

City/State/ZIP ▼

REDONDO BEACH, CA. 90277

• Complete all necessary spaces
• Sign your application in space 8

1. Application form
2. Nonrefundable \$20 filing fee in check or money order payable to Register of Copyrights
3. Deposit material

U.S. GOVERNMENT
Register of Copyrights
Library of Congress
Washington, D.C. 20558-8000

*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

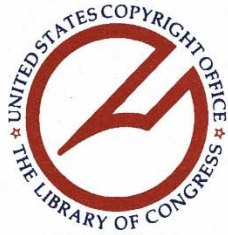
March 1985-300,000 PRINTED ON RECYCLED PAPER

U.S. GOVERNMENT PRINTING OFFICE: 1995-387-237/41

EXHIBIT B

CERTIFICATE OF REGISTRATION

FORM VA
UNITED STATES COPYRIGHT OFFICE



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

VAU 373-848
JUL 29 1996

Marybeth Peters

OFFICIAL SEAL

REGISTER OF COPYRIGHTS

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼ *THE GRATEFUL DEAD EXPERIENCE MUSEUM DESIGN*

NATURE OF THIS WORK ▼ See instructions

PREVIOUS OR ALTERNATIVE TITLES ▼
N/A

PUBLICATION AS A CONTRIBUTION If this work was published in a periodical, serial, or collection, give information about the publication. If not, check ☒ No.

Published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2

NAME OF AUTHOR ▼ *HUK ABELSON*

DATES OF BIRTH AND DEATH
Year Born ▼ *1960* Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country *USA*
OR Citizen of *USA* Domiciled in *USA*

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼
TEXT AND ARTWORK (DIAGRAMS)

NAME OF AUTHOR ▼ *N/A*

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country *N/A*
OR Citizen of *N/A* Domiciled in *N/A*

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

NAME OF AUTHOR ▼ *N/A*

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country *N/A*
OR Citizen of *N/A* Domiciled in *N/A*

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED This information must be given in all cases. *1995* Year

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK Complete this information ONLY if this work has been published. Month *N/A* Day *N/A* Year *N/A* Nation

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
*HUK ABELSON (UNIT B) 5
16 SOUTH GUADALUPE AVENUE
REDONDO BEACH, CALIFORNIA 90277*

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED JUL 29 1996
ONE DEPOSIT RECEIVED JUL 29 1996
TWO DEPOSITS RECEIVED

REMITTANCE NUMBER AND DATE

MORE ON BACK • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE
Page 1 of _____ pages

EXHIBIT B

| | |
|--|---|
| EXAMINED BY <i>[Signature]</i> | FORM VA |
| CHECKED BY <i>[Signature]</i> | |
| <input type="checkbox"/> CORRESPONDENCE Yes | FOR COPYRIGHT OFFICE USE ONLY |
| <input type="checkbox"/> DEPOSIT ACCOUNT FUNDS USED | |

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?
☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
☐ This is the first published edition of a work previously registered in unpublished form.
☐ This is the first application submitted by this author as copyright claimant.
☐ This is a changed version of the work, as shown by space 6 on this application.
If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.
a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

6

See instructions
before completing
this space.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fees to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

RICK ABELSON
106 SOUTH GUADALUPE AVENUE (UNIT B)
REDONDO BEACH, CALIFORNIA 90277

Area Code & Telephone Number ▶ 310-379-1894

Be sure to
give your
daytime phone
number.

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

☒ author

☐ other copyright claimant

☐ owner of exclusive right(s)

☐ authorized agent of

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

of the work identified in this application and that the statements made
by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this is a published work, this date must be the same as or later than the date of publication given in space 3.

RICK ABELSON

date ▶ 7/23/96



Handwritten signature (S) ▼

[Handwritten signature]

**MAIL
CERTIFI-
CATE TO**

**Certificate
will be
mailed in
window
envelope**

| | |
|----------------------------------|---------------------------------------|
| Name ▼ | RICK ABELSON |
| Number/Street/Apartment Number ▼ | 106 SOUTH GUADALUPE AVENUE (UNIT 'B') |
| City/State/ZIP ▼ | REDONDO BEACH, CALIFORNIA 90277 |

Have you:

- Completed all necessary spaces?
- Signed your application in space 8?
- Enclosed check or money order for \$10 payable to Register of Copyright?
- Enclosed your deposit material with the application and fee?

MAIL TO: Register of Copyrights,
Library of Congress, Washington,
D.C. 20558

9

* 17 U.S.C. § 506(e): Any person who knowingly makes a false representation of material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

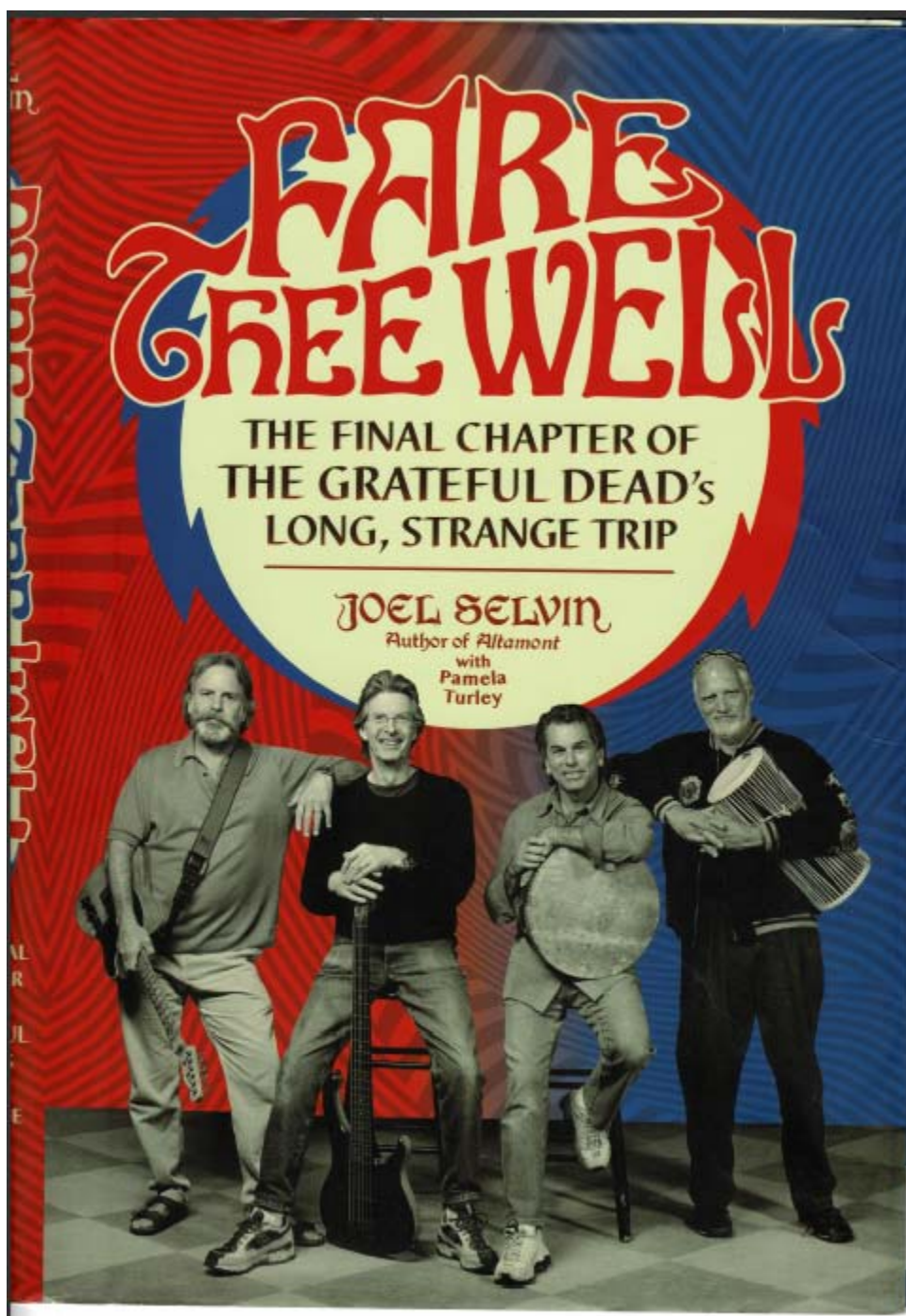
☆ U.S. GOVERNMENT PRINTING OFFICE: 1987: 181-331/40,018

February 1987—100,000

EXHIBIT B

EXHIBIT C

EXHIBIT C





Artist's
rendering
of Terrapin
Station exterior
and lobby
(Environmental
Design Archive,
UC Berkeley)



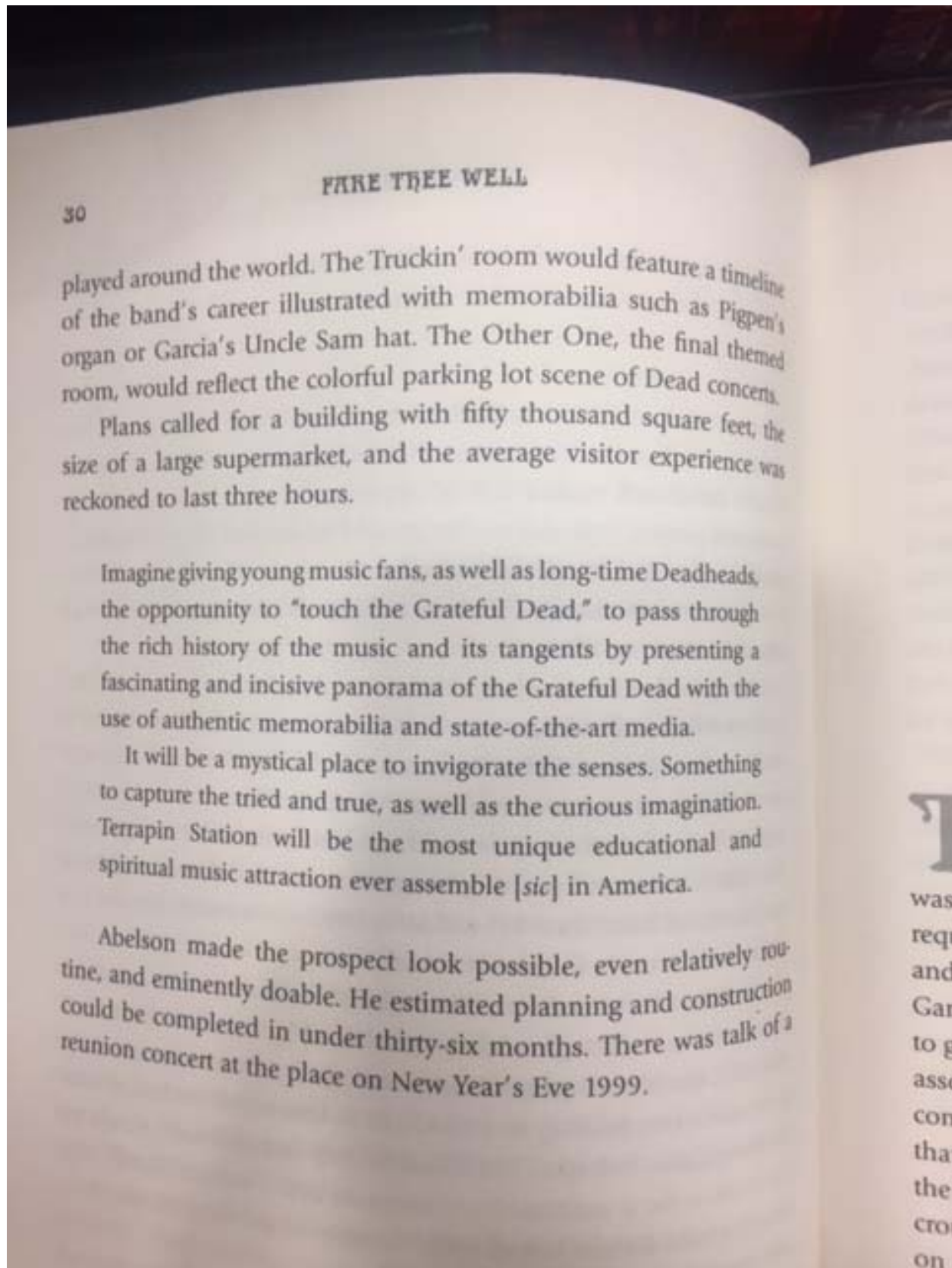


EXHIBIT D

EXHIBIT D

From: Joelselvin <joelselvin@aol.com>
Sent: Monday, October 09, 2017 12:18 PM
To: Rick
Subject: Re: Terrapin Station

Hi Rick -

Finished the book. Comes out in June 2018. Wanted to use pix of Terrapin Station in insert and went through the Cathy Simon papers at Cal. They photographed some models and plans for me, but I would much rather use one of your watercolors. Do you have any renderings I could clear? The models are so dry and character-less. Your drawings in the books were vital and full of life and color.

Cheers to you.

js

Sent from my iPad